

Minutes of the State Board of Health
November 8, 2000

A meeting of the Washington State Board of Health (WSBOH) was held at the Ramada Inn Governor House, Olympia, Washington. The public meeting of the WSBOH was called to order by Linda Lake, Chair, at 9:25 a.m. then addressed the attendees with the following statement:

“This is a public meeting of the WSBOH held under provision of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.”

The following Board members were present:

Linda Lake, Chair
The Honorable Neva J. Corkrum, Vice Chair
Thomas H. Locke, MD, MPH
Margaret Pageler, JD
Vickie Ybarra, RN, MPH

Charles R. Chu, DPM
Joe Finkbonner, MHA
Carl S. Osaki, RS, MPH The Honorable
Mary Selecky, Secretary, Department of

The following Board members were absent:

Ed Gray, MD

State Board of Health Staff present:

Don Sloma, Executive Director
Heather Boe, Executive Assistant
Doreen Garcia, Senior Health Policy Advisor
Russell, Health Policy Advisor

Beth Berendt, Senior Health Policy Advisor
Janice Englehart, Senior Health Policy Advisor
Desiree Robinson, Office Assistant Senior Donna
Hal Dygert, Senior Assistant Attorney General

Guests and Other Participants:

Leanne Bates, Citizen
Amy Belko, MD, Pediatrics Choice
David Cundiff, MD, DSHS, MAA
Ann Egerton, DSHS, MAA
Miriam Fay, University of Washington
David Fichtenberg, Citizen
Danette Glassy, WCAAP
Maxine Hayes, MD, DOH
Patty Hayes, DOH
Ken Hilde
Beth Hines, DOH
Steve Hutton, MD, Pediatrician
Pat Libby, Thurston County Health Department
Barbara Mauer, MCPP HealthCare Consulting
Debbie Riley, Mason County Department of Health Services
Robert Stroh, DSHS, AAS
Kristin West, CHOICE Regional Health Network
Margaret Wilson, DSHS, MAA

APPROVAL OF AGENDA

- *Motion: To approve the November 8, 2000 agenda as submitted.*
Motion/Second: Selecky/Pageler, the motion passed unanimously.

ADOPTION OF OCTOBER 11, 2000 MEETING MINUTES

- ***Motion: To approve the October 11, 2000 minutes as submitted.***
Motion/Second: Ybarra/Osaki, the motion passed.
Joe Finkbonner and Neva Corkrum abstained.

WELCOME

Pat Libby, Thurston County Health and Social Service Department welcomed the Board to Thurston County. He mentioned several of his communities' needs and articulated a few innovative programs being implemented in Thurston County.

PRESENTATION ON CHOICE REGIONAL HEALTH NETWORK

Kristin West, Executive Director, CHOICE Regional Health Network and area physicians from Thurston, Mason, Lewis, and Grays Harbor Counties presented a summary of her organization's 100% Access project. A summary of this presentation was provided in hand outs.

Dr. Steve Hutton, an independent pediatrician spoke to the difficulties in Grays Harbor County that he and a group of physicians with whom he collaborates, face with the Healthy Options program. He emphasized the need for one medical home and fair compensation to provide adequate services to children in the State.

Dr. Amy Belko, an independent pediatrician in Olympia relayed case stories of four Healthy Options patients who presented in her office. In each case, she emphasized the need to encourage one medical home to coordinate adequate medical services for children.

BOARD PRIORITY HEALTH ISSUE: CHILDREN'S HEALTH AND WELL BEING

Vickie Ybarra, RN, MPH revisited the Subcommittee's work on the recommended lists of clinical preventive services for all children 0-10 years of age. She updated the Board on the Subcommittee's work with several advisors. This material was presented in handouts. Materials were also distributed on the proposed models for delivering services.

- ***Motion: The State Board of Health shall approve the list of clinical preventive services for children ages birth to 10 to assure the health and well being of all children in the State of Washington.***
Motion/Second: Ybarra/Children's Subcommittee. The motion passed unanimously.

Carl Osaki asked if there were any other controversial issues raised besides lead toxicity. Ms. Ybarra noted that mental health issues were raised as an issue in the early stages of the Subcommittee's work.

Dr. Maxine Hayes, Health Officer, Washington State Department of Health provided supporting comments on the list of clinical preventive services for children, highlighting the importance and relevance of dental and mental health. She added that she believes this list will be instructive and useful for providers and parents.

Dr. Danette Glassy, President, Washington Chapter, American Academy of Pediatrics spoke in support of the Subcommittee's work. She emphasized the need for accessible, comprehensive, and coordinated care in one medical home.

Dr. David Cundiff, Medical Director, Department of Social and Health Services, Medical Assistance Administration, commented that he is very supportive of the Board's work in this area and looks forward to working with the Board in the future on children's health. He made a few specific comments on the content of the Subcommittee's report.

Mr. Osaki asked how the Subcommittee will communicate this list to providers and parents. Ms. Ybarra commented that there is no specific plan to advertise this work, but that it might fall within the Board's broad attempts to communicate its work to the public. He added that it will be important to keep this

document alive to make it useful. Dr. Cundiff offered communications assistance from the Medical Assistance Administration.

Secretary Selecky made the commitment for DOH to communicate this work to the local health jurisdictions. She also suggested that the AAP include mention of this work in their newsletter.

BOARD PRIORITY HEALTH ISSUE: REPORT FROM CONSULTANTS ON ACCESS TO CRITICAL HEALTH SERVICES

Barbara Mauer, MCPP HealthCare Consulting provided an overview of the Subcommittee's work related to access to critical health services. She articulated many of the data limitations that this group found during its preliminary work. Handouts supported this presentation.

Dr. Locke, Ms. Mauer and other Board members discussed many of the problems and limitations related to extracting population-based data from existing health data systems. Don Sloma suggested that rather than using billing or medical systems information for data collection efforts about access, it might be more effective to ask consumers through a survey about their access issues and health care needs. Ms. Ybarra noted that in addition to BRFSS, there are federal surveys that might be useful. Margaret Pageler recommended that the Board cost out the implementation of conducting a survey. Chair Lake raised her concerns about the uninsured and the challenges of capturing access data from this population. She also stressed the importance of the Board's work on access issues.

Secretary Selecky commented that the subcommittee has done important and useful work in developing the list of clinical preventive services. She supports a temporary pause in this group's work in order to evaluate where we are and where we are going. She also recommended checking in with other stakeholders who are collecting other sources of data that might be helpful. She added that providers do not want to be asked for more information. Mr. Sloma suggested that the Board might also want to ask the relevant players what they intend to do with the information collected.

Dr. Locke stated that in order for this work to be meaningful it requires the input of local health and other stakeholders. He believes that the Board can get support on the list of services, but implementing the snapshot component of the work will be much more challenging. Dr. Locke recommended that the Board consider shifting focus and resources at this time to develop a more enduring plan. Still recognizing that access to health care is an issue, Dr. Locke suggested that the Board allow the subcommittee to deviate from its work plan by not completing the snapshot component as originally included in the subcommittee's work plan. Instead, the group will use the list of clinical preventive services, discuss this list with stakeholders, and focus on the long-term issues related to this topic. All the board members present agreed with this approach.

Dr. Locke also commented that the subcommittee's relationship with the Children's clinical health services assessment should be separated so that the Children's work can continue despite the deviation that the access committee's project is experiencing. Ms. Ybarra supported this statement and agreed with the approach.

PETITION TO REPEAL CHAPTER 246-217-010, FOOD WORKER CARD DEFINITIONS (IN RE: ADULT FAMILY HOMES)

Bill White, Assistant Secretary, Environmental Health Programs spoke to a recent petition (Petition for Adoption, Amendment or Repeal of a State Administrative Rule #246-217-010) submitted by a representative of the adult family home community. Mr. White gave a historic overview of Food Handler Permits as part of food safety standards in Washington and the work of DOH on this in relation to how these requirements apply to Adult Family Homes. DSHS representative Robert Stroh spoke to the Board about of DSHS's regulatory enforcement role and its ongoing relationship with Adult Family Homes. Mr. Stroh requested that AFH be removed from the Food Handler Permit requirement (see Tab 8). Mr. White explained that the Department did follow the necessary protocol for stakeholder notification during the rulemaking process.

- *Motion: The State Board of Health denies the petition to repeal WAC 246-217-010, Food Worker Cards, Definitions, based on the finding that the rule was properly adopted Motion/Second: Osaki/Locke. The motion passed unanimously.*

Before presenting the second motion, Mr. Osaki expressed concern about filing a CR-101 because of the ramifications from other providers beyond Adult Family Homes. Mr. White agreed that opening up a rule has a potential for many others required having food worker permits.

- *Motion: The State Board of Health directed the Department of Health to solicit broad-based input regarding the level of food safety training necessary to protect the health of residents and to report recommendations to the Board by May 2001. Motion/Second: Osaki/Corkrum. The motion passed unanimously.*

UPDATE ON PROPOSED DELEGATION FOR RULE REVISION TO CHAPTER 246-260 WAC, WATER RECREATION FACILITIES

Mr. Osaki reported that a Preproposal Statement of Inquiry (CR-101) has been filed regarding Water Recreation Facilities (see Tab 9). He also stated that he recommends the Board retain authority for this rule, given the input he has received from the local Environmental Health Directors.

DEPARTMENT OF HEALTH (DOH) UPDATE, LEGISLATIVE UPDATE, AND DOH BUDGET PROPOSALS

Secretary Selecky reported about the Rural Health Summit, a coalition working on dental recruitment and access to oral health services. She also announced that the Great American Smokeout is next Thursday and a quit line will be launched: 1-800-270-STOP. Ms. Selecky cited a press release just received from WSAC stating that 30-35 of county commissioners will be filled by new. Patty Hayes reported that the election results for the WA House of Representatives and the Senate are too close to call. Due to the passage of initiatives there will be budget shortfalls.

WASHINGTON STATE ASSOCIATION OF COUNTIES (WSAC) ISSUES

The Honorable Neva Corkrum, State Board of Health Member and Vickie Kirkpatrick, WSAC presented a report from the WSAC Legislative Policy Committee regarding several proposals: (a) "Maintenance of Funding - \$1.056 Million for Local Health Jurisdictions, (b) State Drinking Water Program, (c) Maintenance of Program: Immunizations – Access & Funding, and (d) Tobacco Prevention and Control Plan (see Tab 11). Ms. Corkrum asked if the Board could support these recommendations. Mr. Sloma reiterated that the Board has wanted to support these local concerns; especially since they are in line with issues and concerns expressed by the Board. Mr. Dygert will verify if the Board can support these recommendations.

ASSISTANT ATTORNEY GENERAL'S REPORT

Hal Dygert, Senior Assistant Attorney General provided an update on the Resist the List court case. Chair Lake asked what Mr. Dygert's advice on the Board having its own email chats. Mr. Dygert put this question in the context of the Open Meetings Act and the limitations on Board conference calls that must be opened to the public. Chair Lake asked for more information about technology and cost.

SBOH STAFF ANNOUNCEMENTS

Don Sloma, State Board of Health Executive Director introduced the Board's Executive Assistant, Heather Boe, who developed the Board's new Web page. Ms. Boe demonstrated how the new web site looks and works to date. Ms. Ybarra asked about using "PDF" rather than WORD so that documents by the Board cannot be changed.

Mr. Sloma and Beth Berendt presented draft copy of the annual report. Mr. Osaki commented that he was concerned about combining Health Disparities and Environmental Justice, as the projects are distinct with

different goals and strategies. All the board members agreed on the format. They also agreed to relay comments to staff within the next week.

Mr. Sloma reviewed the FYI sheet and a number of other information sheets in the packets. He introduced Miriam Faye, an intern from the University of Washington who has been working with him and the other sponsoring agencies on the January 5, 2000 Genetics Conference.

Mr. Sloma drew the Board's attention to the draft rule delegation criteria prepared by Board and DOH staff. Dr. Locke noted that the criteria call attention to the issues needing to be considered. However, he suggested that the Board might want to provide more detail about what specific decision criteria will be used when to delegate and when not to delegate. Secretary Selecky pointed out that there is value in not being too prescriptive and leaving the Board flexibility to make decisions on delegation on a case-by-case basis. Mr. Osaki and Secretary Selecky made specific editorial comments.

- ***Motion: The State Board of Health moves to accept the Board's policy on delegating rules to the Department of Health with the changes and recommendations suggested.***
Motion/Second: Locke/Finkbonner, the motion passed unanimously.

Mr. Sloma presented the 2001 meeting schedule. Secretary Selecky suggested that the Board include Spokane and Vancouver in the upcoming year.

Mr. Sloma presented strategic planning/2001 priorities. He asked that the Board review this draft list and revisit this planning effort in December.

PERIOD TO TAKE PUBLIC TESTIMONY ON ANY HEALTH ISSUE

Mr. Sloma drew attention to public testimony received via the Internet on end of life issues. This testimony is included in the board packets.

David Fichtenberg presented to the Board on his public health concern related to radiation exposure from cellular phones and cellular phone towers. He stated that he is challenging the Federal Communications Commission rules on cell phone and tower standards. He is requesting the Attorney General to submit an amicus briefing in support of his challenge. He is hoping that the Board will provide similar support. He also requests the Board to ask DOH to dedicate resources and time to this issue. The details of his argument and recommendations are included in materials made available at the meeting.

Dr. Locke commented that the Board extensively reviewed this issue in 1994.

ADJOURNMENT

The meeting was adjourned at 4:36 p.m.

WASHINGTON STATE BOARD OF HEALTH

Linda Lake, Chair